

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-6 and 10 are pending in the application, with 1 and 6 being the independent claims. Claims 7-9 have been canceled without prejudice or disclaimer. Claim 6 has been amended to remove language previously added in response to the Non-final Office Action to overcome a cited reference, in view of the position presented below that the cited reference is not a prior art reference. Applicants respectfully request that the amendment presented above be entered after final because they place the application in condition for allowance and/or place the claims in better condition for appeal. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 1-6 and 10 were rejected under 35 U.S.C § 103(a) as being unpatentable over U.S. Patent No. 6,634,446 to Ima ("Ima") in view of U.S. Patent No. 5,617,764 to Komura *et al.* ("Komura"). The Examiner asserts the Ima patent as a prior art reference under 35 U.S.C § 102(e) based on its effective filing date of June 8, 2001. Applicants submit that the Ima patent is not "prior art" because the present application is entitled to its foreign priority dates of September 2000 and March 2001, which predate the effective date of the Ima patent. Applicants submit herewith an English language translation of each of the certified copies of the foreign priority documents JP 2000-266847 and JP

2001-62478 to support the Applicants' claim to foreign priority for the purpose of overcoming the effective date of the Ima reference. *See* MPEP 201.15. A statement by the translator certifying the accuracy of the translation is attached to each English language translation. Accordingly, Applicants respectfully request that the rejection be withdrawn.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully
requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Tracy-Gene G. Durkin
Attorney for Applicants
Registration No. 32,831

Date: February 22, 2006

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

498740v1